

CF-1000 (3)

IN THE HIGH COURT OF JUDICATURE, AT-BILASPUR(C.G.)

W.P.NO. 1103 OF 2004

BETWEEN

PETITIONER

: P. LAKARA
AGED- 43 YEARS,
SON OF SHRI PIYUSH LAKARA
POSTED AS - SUB ENGINEER,
AT - O/O JANPAD PANCHAYAT, GURUR,
DISTRICT- DURG (C.G.)
R/O - BEHIND KALI MANDIR, SORIDBHAT,
DHAMTARI, DISTRICT - DHAMTARI (C.G.)

P. R. No. 1062/04
Presented by Shri. D.K. Bhawan
dated 12.04.04

VERSUS

RESPONDENTS

- : 1. STATE OF CHHATTISGARH
THROUGH - THE SECRETARY,
PANCHAYAT AND RURAL DEPARTMENT,
D.K.S. BHAWAN, RAIPUR.
2. THE DEVELOPMENT COMMISSIONER,
CHHATTISGARH, RAIPUR.

**WRIT PETITION UNDER ARTICLE - 226 & 227 OF CONSTITUTION OF
INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS,
PROHIBITION, SUITABLE DIRECTION OR DIRECTIONS, ORDER OR
ORDERS.**

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 1103/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	25.07.2005 Shri R.K. Kesharwani counsel for the petitioner. Shri Akhil Agrawal, Panel Lawyer for the State/respondents. Heard on admission. This writ petition has been filed challenging the validity of impugned order dated 29.12.2003 (Annexure-P/ 1) by which, the disciplinary authority has imposed a punishment of withholding of one annual increment with non-cumulative effect. As stated in the petition, the petitioner is working on the post of Sub-Engineer and disciplinary proceedings were drawn against the petitioner under the provisions of M.P. (C.G.) Civil Services (Classification, Control and Appeal) Rules, 1966. Admittedly, there is a provision of appeal against passing of punishment orders by the disciplinary authority. Learned counsel for the petitioner submits that the petitioner has already preferred an appeal vide Annexure-P/ 10 on 22.3.2004 before the appellate authority but the appeal has not been decided so far. In the facts and circumstances of the case and particularly in the circumstance when the departmental appeal is still pending before the appellate authority, I am not inclined to entertain the writ jurisdiction at this stage. However, it is directed that if the appeal filed before the appellate authority, has not been disposed of so far, the same may be disposed of	

43

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	within a period of one month from the date of production of certified copy of this order before the said authority. The petitioner shall be at liberty to approach this Court if any adverse order is passed by the appellate authority. In view of this order, petition stands disposed of.	Sd/- Sunil Kumar Sinha Judge

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